

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

KANDY LYNN PEREZ,

Plaintiff,

v.

BP KENOSHA TRAVEL PLAZA LLC,

Defendant.

Case No. 18-CV-999-JPS

**ORDER**

Plaintiff, proceeding *pro se*, filed this action on June 29, 2018. (Docket #1). Along with her complaint, she submitted a request for leave to proceed *in forma pauperis*. (Docket #2). Pursuant to 28 U.S.C. § 1915, the assigned judge, Magistrate Judge Nancy Joseph, screened Plaintiff's complaint and addressed her motion for leave to proceed *in forma pauperis*. (Docket #3). The magistrate denied the motion, finding that Plaintiff is not indigent, and directed her to remit the entire \$400 filing fee no later than July 17, 2018. *Id.* at 4. Magistrate Joseph also ordered Plaintiff to file an amended complaint by that date, as the original complaint did not state any viable claims for relief. *Id.* Plaintiff was warned that failure to make these submissions would result in dismissal of the case. *Id.* at 5.

Plaintiff did not pay the filing fee or submit an amended complaint by the July 17 deadline. Consequently, on July 23, 2018, Magistrate Joseph filed a report and recommendation with this Court recommending that the complaint be dismissed without prejudice. (Docket #4); *Coleman v. Labor & Industry Rev. Comm'n of Wis.*, 860 F.3d 461 (7th Cir. 2017). In her recommendation, Magistrate Joseph informed Plaintiff that, pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), Federal Rule of Civil Procedure 72(b)(2), and

General Local Rule 72(c), she had fourteen days to file an objection to the recommendation. (Docket #4 at 2). That deadline has passed and the Court has received no objection from Plaintiff. Having received no objection thereto, and in full agreement with Magistrate Joseph's finding that dismissal is warranted, the Court will adopt the recommendation.

Accordingly,

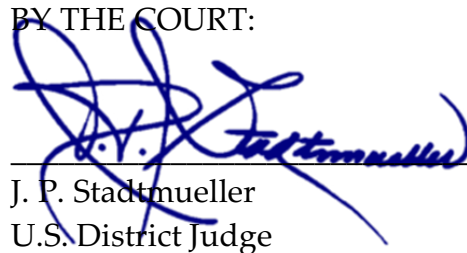
**IT IS ORDERED** that Magistrate Judge Nancy Joseph's July 23, 2018 Report and Recommendation (Docket #4) be and the same is hereby **ADOPTED**; and

**IT IS FURTHER ORDERED** that this action be and the same is hereby **DISMISSED without prejudice**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 20th day of August, 2018.

BY THE COURT:



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J. P. Stadtmueller  
U.S. District Judge